

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(Modified) (REV 10-94)ATTORNEY'S DOCKET NUMBER
10573-1U1TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (IF KNOWN, SEE 37 C.F.R. 1.5)

Not Yet Assigned

10/049753

INTERNATIONAL APPLICATION NO.
PCT/US00/21747INTERNATIONAL FILING DATE
09 AUGUST 2000PRIORITY DATE CLAIMED
11 AUGUST 1999

TITLE OF INVENTION: ANTIMICROBIAL HISTONE H1 COMPOSITIONS, KITS, AND METHODS OF USE THEREOF

APPLICANT(S) FOR DO/EO/US: CLASS, Reiner
ZEPPEZAUER, Michael

APPLICANT HEREWITH SUBMITS TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) THE FOLLOWING ITEMS AND OTHER INFORMATION:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). It is requested the examination be based on:
 - a. ☐ the claims as originally filed.
 - b. ☐ the claims as amended under PCT Article 19.
 - c. ☐ the claims as annexed to the International Preliminary Examination Report.
 - d. ☐ the claims as amended by the enclosed Preliminary Amendment.

ITEMS 11. TO 21. BELOW CONCERN DOCUMENT(S) OR INFORMATION INCLUDED:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ A Verified Statement Claiming Small Entity Status.
17. ☒ A copy of the cover sheet of the PCT publication of the application (WO 01/10901).
18. ☐ A copy of the International Preliminary Examination Report.
19. ☐ An English translation of the International Preliminary Examination Report.
20. ☐ Formal drawings (9 sheets).
21. ☒ Other items or information:
☒ The International Preliminary Examination Report has not been received by the Applicants.

22. [X] The following fees are submitted (enter lowest fee applicable):

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

[X] Search Report has been prepared by the EPO or JPO \$840.00

[] International preliminary examination fee paid to USPTO (37 CFR 1.482) \$670.00

[] No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00

[] Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970.00

[] International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 or [X] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	37 - 20 =	17	x \$ 18.00 =	\$306.00
Independent claims	3 - 3 =	0	x \$ 78.00 =	\$0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$260.00 = \$260.00
TOTAL OF ABOVE CALCULATIONS =				\$1,536.00

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).

SUBTOTAL =

\$1,536.00

Processing fee of \$130.00 for furnishing the English translation later than [] 20 or [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +

TOTAL NATIONAL FEE =

\$1,536.00

TOTAL FEES ENCLOSED =

\$1,536.00

Amount to be:
Refunded \$
Charged \$

a. [X] A check in the amount of \$1,536 to cover the above fees is enclosed.

b. [] Please charge my Deposit Account No. 50-1017 in the amount of \$ 0.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1017 (Reference No. 210573.0002). A duplicate copy of this sheet is enclosed.

NOTE: WHERE AN APPROPRIATE TIME LIMIT UNDER 37 CFR 1.494 OR 1.495 HAS NOT BEEN MET, A PETITION TO REVIVE (37 CFR 1.137(a) OR (b)) MUST BE FILED AND GRANTED TO RESTORE THE APPLICATION TO PENDING STATUS.**SEND ALL CORRESPONDENCE TO:**

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40,961

REGISTRATION NUMBER